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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

VAN HANDEL, MICHAEL P

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/844,005	PARK ET AL.	
	Examiner	Art Unit	
	Michael Van Handel	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,7 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an Amendment filed 8/11/2006. Claims 1-4, 6, 7, 9 are pending. Claims 5, 8 are canceled.

Response to Arguments

1. Applicant's arguments regarding the examiner's introduction of a new ground of rejection, filed 8/11/2006, have been fully considered, but they are not persuasive.

Applicant's arguments regarding claim 1, filed 8/11/2006, have been fully considered, but they are not persuasive.

Regarding the examiner's introduction of a new ground of rejection, the applicant cites M.P.E.P. 706.07(a), which states:

"Under present practice, second or any subsequent actions on the merits shall be final, *except* where the examiner introduces a new ground of rejection that is *neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement* filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p)(italicized for emphasis)."

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The applicant disagrees with the examiner's introduction of a new ground of rejection that is not necessitated by the applicant's claim amendment seeking only allowable claims with no arguments; however, the examiner maintains the new grounds of rejection. The examiner identified a piece of relevant art in a non-related search and decided it necessary to incorporate the art into new grounds of rejection. Since the new grounds of rejection was not necessitated by the applicant's amendment of the claims nor based on information submitted in an information disclosure statement, the examiner made the subsequent action Non-Final in order to conform to M.P.E.P. 706.07(a), which prevents the examiner from making such new grounds of rejection final.

The applicant further cites M.P.E.P. 706.07(e), which states:

“...Occasionally, the finality of a rejection may be withdrawn in order to apply a new ground of rejection ... Although it is *permissible* to withdraw a final rejection for the purpose of entering a new ground of rejection, this practice is to be limited to situations where a new reference either fully meets at least one claim or *meets it except for differences which are shown to be completely obvious* (italicized for emphasis).”

The applicant argues that in order to reject the amendment seeking only allowable claims after final rejection the new reference either fully meets at least one claim or should be other than obviousness rejection based upon 35 U.S.C. §103(a). The examiner respectfully disagrees. The examiner interprets M.P.E.P. 706.07(e) as stating that it is permissible to withdraw a final rejection for the purpose of entering a new ground of rejection. It then suggests that the practice

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be limited to situations where a new reference fully meets at least one claim or meets it except for differences, which are shown to be completely obvious. The examiner finds no mention in M.P.E.P. 706.07(e) that the new reference should be other than an obviousness rejection based upon 35 U.S.C. §103(a). The examiner maintains that the new grounds of rejection successfully show claims 1 and 6 to be completely obvious in light of the newly introduced reference to Park.

Regarding claim 1, the applicant argues that the combination of Chaney and Park does not teach the applicant's "outputting a time lapse message when a number of paid digital satellite broadcasting signals is greater than the number of descrambling units." The applicant further argues that there is absolutely nothing in Park to anticipate the applicant's significant comparison and condition of "... a number of paid digital satellite broadcasting signals is greater than the number of descrambling units." The applicant argues still further that the examiner's statement of "inserting a smart card if a smart card is not inserted" has absolutely no connection with the amended claim 1. The examiner respectfully disagrees. Chaney discloses a signal processing system including a first smart card that provides both entitlement processing and descrambling for a first scrambled signal component and a second smart card that provides both entitlement processing and descrambling for a second scrambled signal component (col. 3, l. 17-27, 29-31). Chaney does not disclose outputting a time-lapse message when a number of paid digital satellite broadcasting signals is greater than the number of descrambling units. Park discloses a satellite broadcasting receiver with a smart card 212 for entitlement processing to determine if a user has an appropriate personal identification number (PIN) for descrambling a scrambled channel signal (col. 3, l. 11, 29-34 & Fig. 2). A controller 206 checks a control bit to determine if a selected

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channel is scrambled. If scrambled, it checks whether the smart card 212 was inserted. The controller 206 reads a personal identification number (PIN) from the smart card 212 and compares the read information with PIN information pre-stored in a memory 222 (col. 4, l. 34-48). The examiner notes that the smart card 212 is an essential component of the descrambling process of Park. If the smart card is not inserted, the controller applies a control signal to the OSD processor 218 and displays on a display a message requesting the subscriber to insert the smart card 212 (col. 4, l. 39-43). In light of the applicant's specification, stating that a time-lapse message is output when there is no PCMCIA socket for an input signal, and further in light of dependent claim 7, which further limits the time-lapse message limitation of claim 6 by stating "displaying a message that no smart card for descrambling the broadcasting signal is provided when the descrambler is not provided," the examiner finds the message of Park to be the equivalent of applicant's time-lapse message, as currently claimed. Thus, the examiner maintains that Park effectively remedies the deficiencies of Chaney and that it further be obvious to modify Chaney in view of Park in order to provide a more user-friendly interface.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Park.

Referring to claim 1, Chaney discloses a satellite broadcasting receiver (video signal processing system)(col. 3, l. 53-60 & Figs. 1, 12) for receiving scrambled or unscrambled digital satellite broadcasting signals (col. 8, l. 58-65), demultiplexing the signals (col. 5, l. 61-63 & Fig. 1), decoding the signals and outputting audio and video signals (col. 6, l. 17-34), a multichannel signal receiver (col. 12, l. 28-51 & Figs. 9-11) comprising:

- a descrambler 180, 1805 including a plurality of descrambling units for descrambling the scrambled digital satellite broadcasting signals (col. 12, l. 28-52);
- a signal receiver for receiving at least one digital satellite broadcasting signal via at least one antenna (the examiner notes that an antenna for receiving satellite broadcasting signals is inherent to the functionality of a satellite broadcasting reception system), and outputting the digital satellite broadcasting signal (col. 16, l. 9-37);
- a signal output unit (demux, decompressors, signal processors) 130, 140, 145, 150, 155 for demultiplexing the digital satellite broadcasting signal (col. 5, l. 61-63), demodulating the signal, and outputting audio and video signals (col. 6, l. 17-34);
- a common interface controller 183 (security controller) for checking whether the digital satellite broadcasting signal provided by the signal receiver is a paid signal or a free signal, outputting the digital satellite broadcasting signal to the signal output unit when the digital satellite broadcasting signal is a free signal (the examiner notes that in television broadcasting a paid signal relates to a scrambled signal and a free

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signal relates to an unscrambled signal), and outputting the digital satellite broadcasting signal to the descrambler and outputting a descrambled digital satellite broadcasting signal to the signal output unit when the digital satellite broadcasting signal is a paid signal (col. 8, l. 58-65 & Fig. 4); and

- a host central processing unit (CPU) 160 (microcontroller) for controlling the signal receiver (col. 4, l. 33-40), the common interface controller (col. 5, l. 58-60; col. 6, l. 8-13, 59-62; col. 9, l. 17-36; col. 10, l. 10-26; & col. 12, l. 17-27) and the signal output unit (col. 15, l. 43-47).

Chaney does not disclose outputting a time lapse message when a number of paid digital satellite broadcasting signals is greater than the number of descrambling units. Park discloses determining whether a selected channel is scrambled, checking whether a smart card is inserted to determine whether the viewer is a charged channel subscriber, and outputting a message requesting the subscriber to insert the smart card if the smart card is not inserted (col. 4, l. 35-43 & Fig. 2). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Chaney to include outputting a message requesting a subscriber to insert a smart card if a smart card is not inserted, such as that taught by Park in order to provide a more user-friendly interface.

Referring to claim 2, the combination of Chaney and Park teaches the receiver of claim 1, wherein at least some of the paid signals are scrambled (Chaney col. 3, l. 61-64 & col. 6, l. 8-13).

Referring to claim 3, the combination of Chaney and Park teaches the receiver of claim 1, wherein the descrambling process is performed by a common interface module (Chaney col. 8, l. 58-66 & Fig. 1).

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3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Park and further in view of Christine et al.

Referring to claim 4, the combination of Chaney and Park teaches the receiver of claim 1, wherein the common interface controller comprises:

- a transport stream interface for receiving at least one digital satellite broadcasting signal from the signal receiver, checking whether the digital satellite broadcasting signals is a paid broadcasting signal, supplying the checked paid broadcasting signal to the descrambler, controlling the descrambling process, and outputting the descrambled broadcasting signal provided by the descrambler to the signal output unit (Chaney col. 16, l. 23-37 & Fig. 12); and
- a host interface for controlling at least one common interface module of the descrambler according to the control of the host CPU (Chaney col. 15, l. 21-41 & Figs. 9, 11).

The combination of Chaney et al. and Park does not teach an inter integrated circuit (I²C) interface for controlling the host interface and the transport stream interface according to the control of the host CPU. Christine et al. discloses the use of a Phillips Inter-Integrated-Circuit Control (I²C) interface that is dedicated to the transmission and reception of command, status messages and video data between a host and a video decoder (col. 4, l. 24-38 & Fig. 1). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Chaney and Park to include an I²C interface, such as that taught by

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Christine et al. in order to provide an interface and communication protocol for allowing a host to control and communicate with other receiver components (col. 2, l. 1-5).

4. Claims 6, 7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Cowe and further in view of Park.

Referring to claims 6 and 7, Chaney discloses a satellite broadcasting signal receiving method (video signal processing method)(col. 3, l. 53-60 & Figs. 1, 12) for receiving scrambled or unscrambled digital satellite broadcasting signals (col. 8, l. 58-65), demultiplexing the signals (col. 5, l. 61-63), decoding the signals and outputting audio and video signals (col. 6, l. 17-34), a method for controlling a multichannel signal receiver (col. 12, l. 28-51 & Figs. 9-11), comprising:

(a) selecting at least one receiving channel of the digital satellite broadcasting signals according to a driving of the receiver (col. 4, l. 33-40);

(b) checking whether the broadcasting signal is a paid signal when the broadcasting signal is received (col. 8, l. 58-65 & Fig. 4);

(c) demultiplexing the corresponding broadcasting signal, decoding the signal and outputting the signal when the received broadcasting signal is that of a free broadcast in (b)(the examiner notes that in television broadcasting a free signal relates to an unscrambled signal)(col. 6, l. 17-34; col. 8, l. 58-65; & col. 15, l. 43-47); and

(d) descrambling the corresponding broadcasting signal, demultiplexing the broadcasting signal and decoding the same when the received broadcasting signal is that of a paid broadcast in (b)(the examiner notes that in television broadcasting a paid signal relates to a scrambled

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signal)(col. 5, l. 58-63; col. 6, l. 17-34; & col. 8, l. 9-12), wherein at least two descrambling units are provided (col. 12, l. 28-51 & Figs. 11, 12).

Chaney does not disclose checking a receipt state of a broadcasting signal of the selected broadcasting signals and outputting a warning message that no signal is received when the broadcasting signal is not received. Cowe discloses a method of sensing the presence of a video carrier signal on any one or more channels. If a microprocessor reports that no signal is present, a substitute default video text message can be automatically inserted stating "Please Stand By. Normal programming will resume as soon as possible (col. 14, l. 35-43)." It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Chaney to include a method of sensing the loss of a video carrier signal and outputting a corresponding message to the user, such as that taught by Cowe in order to alert the user of a television system problem. The combination of Chaney and Cowe further teaches detecting whether a smart card is inserted or removed (Chaney col. 12, l. 52-67 & col. 13, l. 1-43). The combination of Chaney and Cowe does not teach displaying a time-lapse message when the number of scrambled broadcasting signals is greater than the number of descrambling units. Park discloses determining whether a selected channel is scrambled, checking whether a smart card is inserted to determine whether the viewer is a charged channel subscriber, and outputting a message requesting the subscriber to insert the smart card if the smart card is not inserted (col. 4, l. 35-43 & Fig. 2). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Chaney and Cowe to include outputting a message requesting a subscriber to insert a smart card if a smart card is not inserted, such as that taught by Park in order to provide a more user-friendly interface.

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Referring to claim 9, the combination of Chaney, Cowe, and Park teaches the method of claim 6, wherein the descrambled broadcasting signals are demultiplexed (the examiner notes that the tuners of Chaney have two separate transport units (demultiplexers) 120, 121)(Chaney col. 4, l. 51-67 & col. 5, l. 51-65), decoded and output via respective different paths (Chaney states that the first and second processed signal components are decompressed in decompressor units 140 and 1405, respectively, and are further processed in signal processors 150 and 1505, respectively. Chaney further discloses that the output of a signal processor is suitable for display on a display device. Therefore, the examiner interprets the signal processors 150, 1505 of Fig. 12 as representing output paths)(Chaney col. 15, l. 47-50 & col. 6, l. 30-34) when at least two descrambled broadcasting signals are provided (Chaney Fig. 12).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

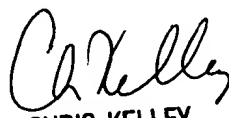
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571-272-5968. The examiner can normally be reached on 8:00am-5:30pm Mon.-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MVH


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